



FINAL DETERMINATION

DATE ISSUED AND MAILED: August 28, 2026

IN RE: *Germine Oliver v. Pennsylvania Office of Open Records*, OOR Dkt. AP 2026-3063

Upon review of the appeal filed with the Appeals Officer (“Appeals Officer”) for the Pennsylvania Office of Open Records (“OOR”)¹ to the above-referenced docket number, as well as the parties’ submissions, the appeal is **DISMISSED** because:

The appeal is untimely. The OOR received the Request on May 29, 2026 and, after extending its time to respond, *see* 65 P.S. § 67.902(b), the OOR partially denied the Request on July 6, 2026. Appeals of denied Right-to-Know requests must be filed within 15 business days of the mailing date of the agency’s response, or by July 27, 2026, in this instance. *See* 65 P.S. § 67.1101(a)(1). The appeal was filed on July 28, 2026.² The Requester is not prohibited from making a new request for these records and, if necessary, filing a new appeal pursuant to the requirements of 65 P.S. § 67.1101(a)(1).

For this reason, the OOR is not required to take any further action. Within thirty days of the mailing date of this Final Determination, either party may appeal or petition for review with the Commonwealth Court. 65 P.S. § 67.1301. All parties must be served with notice of the appeal. The Appeals Officer also shall be served notice and have an opportunity to respond according to court rules as per 65 P.S. § 67.1303, but as the quasi-judicial tribunal adjudicating this matter, the Appeals Officer is not a proper party to any appeal and should not be named as a party.³ All documents or communications following the issuance of this Final Determination shall be sent to oor-postfd@pa.gov. This Final Determination shall be placed on the website at: <http://openrecords.pa.gov>.

Issued by:

/s/ Magdalene C. Zeppos-Brown

MAGDALENE C. ZEPPOS-BROWN, ESQ.

DEPUTY CHIEF COUNSEL

Sent via OOR e-file portal to: Germine Oliver; Janelle Sostar, AORO; and Temitope Quadri, Esq.

¹ Because the RTKL establishes that the OOR, along with the Attorney General, the General Assembly, the Auditor General and certain other agencies, shall hear appeals of their own denials, this Final Determination distinguishes the OOR from the undersigned Appeals Officer for clarity. 65 P.S. § 67.503(a); 65 P.S. § 67.503(d).

² The Requester contends that the appeal is timely, because “the portal repeatedly failed to accept the filing and returned me to the prior screen.” However, absent sufficient proof that the Requester attempted to timely file the instant appeal, the Appeals Officer lacks jurisdiction to reach the merits.

³ *Padgett v. Pa. State Police*, 73 A.3d 644, 648 n.5 (Pa. Commw. Ct. 2013).